IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 3906 of 2005

Between:

1. D.V. Srinivasa Raju, S/o. Suryanarayana Raju,
   Aged 35 years, Occ:Business,Tuni, E.G.District.
2. G.V.N. Ramachandra Raju, S/o. V.A.N. Raju,
   Aged 40 years, Occ: Business, R/o. Tuni, E.G.District.

..... PETITIONERS

AND

The Regional Transport Authority,

rep. by its Secretary, Kakinada,

E.G.District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent in not considering the applications of the petitioner for the grant of pucca contract carriage permit on the route Tuni to Kakinada and Tuni to Thandava Dam which are registered as R.No.275/A1/05 and R.No.276/A1/05 as illegal, arbitrary and violation of Art. 9(1)(g) of the Constitution of India and consequently direct the respondent to consider the application of the petitioners for the grant of pucca contract carriage permit on the route Tuni to Kakinada and Tuni to Thandava Dam which are registered as r.No.275/A1/05 and R.No. 276/A1/05 under circulation as provided under rule 138 of A.PM.V.Rules, 1989.

Counsel for the Petitioner: MR.V.V.N.NARAYANA RAO

Counsel for the Respondent: GP FOR TRANSPORT

The Court, at the stage of admission, made the following :

ORDER:

For not considering the applications filed by the petitioners in Form – Pucca Contract Carriage Permit, the present writ petition has been filed.

It is stated in the affidavit filed in support of the writ petition that on 07-01-2005, the petitioners submitted two applications to the respondent-authority for grant of pucca contract carriage permit on the routes Tuni to Kakinada and Tuni to Thandava and the same were registered by the respondent-authority. Along with said applications, the petitioners have also submitted another application to the respondent-authority for grant of pucca contract carriage permit on the route Tuni to Rajavammangi, and the same was rejected on 25-01-2005. It is further stated that in spite of their request, the respondent-authority has not taken any steps to dispose of their applications. Hence, the writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Transport.

Having regard to the fact that the applications seeking permit are already pending consideration by the respondent-authority, I am not inclined to go into the merits of the case. However, the respondent-authority is directed to take appropriate decision on the applications of the petitioners, within a period of four weeks from the date of receipt of a copy of this order in accordance with the provisions of Motor Vehicles Act.

The writ petition is accordingly disposed of. No costs.

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01-03-2005.

Lrkm.

To

1. The Regional Transport Authority,

rep. by its Secretary, Kakinada,

E.G.District.

2. 2 CCs to the Government Pleader for Transport, High Court

Buildings, High Court of A.P., Hyderabad (O.U.T)

3. 2 CD copies.

*Form-NIC-OGS/WP{**JGK**}*